IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION (S) NO. 851 of 2006
IN
WRIT PETITION NO. 3649 OF 2004

Office Notes, Office Memoranda of :
coram, appearances, Court's Orders: Court's or Judge's orders
or directions and Registrar Orders:

Mr.R.M. Patne, A.G.P. for the Petitioners.

Mr.N.V. Bandiwadekar for the Respondent.

CORAM : H.L. GOKHALE &
MRS. R.S. DALVI, JJ.

DATE : 7TH FEBRUARY 2006

P.C. :

1. Heard Mr.Patne, A.G.P. in support of this Review Petition. Mr.Bandiwadekar appears for the Respondent.

2. This Review Petition seeks a review of the order passed by us on 29th June 2005. That order had been passed after considering the reply filed by the Zilla Parishad. As far as the State Government is concerned, it has been recorded in para 6 of the

order that the State Government has not filed any reply in spite of the fact that the matter has been adjourned from time to time. It is further recorded that the matter had first come on 5th May 2004 and notice was issued that the matter will be disposed of finally at the admission stage. In spite of that, no reply had been filed. Besides, the reply filed by the Zilla Parishad was considered by the Court and relying upon a judgment of another Division Bench in Writ Petition No.6844 of 1998 decided on 15th December 1998, the order was passed allowing the petition in terms of prayers (b) and (c). The effect of this is only to restore the seniority of the Petitioner in the waiting list of Muster Assistants to get absorption in the Government service in his turn. There is no reason to recall the order under review. Review Petition is rejected.

(H.L. GOKHALE, J.)

(MRS. R.S. DALVI, J.)